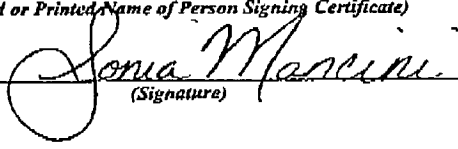


CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8)			Docket No.
Applicant(s): Moore, Jr., et al.			INI-0031-D4
Serial No. 10/729,615	Filing Date December 5, 2003	Examiner J. Chen	Group Art Unit 3637
Invention: PLASTIC PALLET DESIGN		OFFICIAL RECEIVED CENTRAL FAX CENTER JUN 07 2004	
I hereby certify that this <u>Response to Restriction Requirement (5 pages)</u> (Identify type of correspondence) is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. <u>(703) 872-9306</u>) on <u>June 7, 2004</u> (Date)			
<div style="text-align: right;">Sonia Mancini (Typed or Printed Name of Person Signing Certificate)  (Signature)</div>			
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P18/REV01

INI-0031-D4

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: ROY E. MOORE, JR. et al.

Serial No: 10/729,615

Filed: DECEMBER 5, 2003

For: PLASTIC PALLET DESIGN

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) Group Art Unit: 3637
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) Examiner: J. Chen
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JUN 07 2004

VIA FACSIMILE: (703) 872-9306

Commissioner for Patents
Alexandria, VA 22313**RESPONSE TO RESTRICTION REQUIREMENT**
PURSUANT TO 35 U.S.C. §121

Sir:

This election is submitted in response to the Requirement for Restriction dated
May 14, 2004.

INI-0031-D4

CLAIMS:

1. (Original) A pallet, comprising:
an upper deck comprising a support material;
an upper frame member supporting said upper deck;
a plurality of foot members disposed in physical contact with said upper frame member, wherein said foot members are integrally formed with said upper frame member; and
a lower frame member disposed in physical contact with said plurality of foot members.
2. (Original) The pallet of Claim 1, further comprising a foam material disposed within each of said foot members.
3. (Original) The pallet of Claim 1, wherein an outer wall of each of said foot members further comprises a bend disposed therein, said bend being configured to engage a lip disposed at an edge of said upper frame member.
4. (Original) The pallet of Claim 1, wherein said foot members are integrally formed with said lower frame member.
5. (Original) The pallet of Claim 1, wherein each of said foot members further comprises,
a plurality of teeth depending from said upper frame member, and
a plurality of teeth depending from said lower frame member configured to engage the plurality of teeth depending from said upper frame member.
6. (Original) The pallet of Claim 5, further comprising reinforcement elements disposed adjacent to base portions of said teeth of each plurality of teeth depending from said upper frame member and the lower frame member.
7. (Original) The pallet of Claim 1, wherein said upper deck comprises a composite polymer material.

INI-0031-D4

8. (Original) The pallet of Claim 7, wherein said composite polymer material comprises, a biaxial weave of fibrous polymer, and a sheet of polymer bonded to said biaxial weave of fibrous polymer.

9. (Original) The pallet of Claim 8, wherein said biaxial weave of fibrous polymer is selected from the group consisting of polypropylene, polyethylene, and combinations of the foregoing materials.

10. (Original) The pallet of Claim 8, wherein said biaxial weave of fibrous polymer further comprises an additive selected from the group consisting of fibrous glass, fibrous carbon, UV stabilizing compounds, biocidal compounds, and combinations of the foregoing materials.

11. (Original) The pallet of Claim 1, wherein said support material is selected from the group consisting of polyurethane, polystyrene, polyethylene, and combinations of the foregoing materials.

12. (Original) A pallet, comprising:
an upper deck comprising a support material;
an upper frame member supporting said upper deck, wherein said upper frame member comprises a cavity bounded on at least one side by said upper deck;
a plurality of foot members disposed in physical contact with said upper frame member; and
a lower frame member disposed in physical contact with said plurality of foot members.

13. (Original) The pallet of Claim 12, wherein said cavity further comprises a second support material disposed therein.

14. (Original) The pallet of Claim 13, wherein said cavity is bounded on all sides by said upper frame member.

INI-0031-D4

15. (Original) A tubular and nestable foot assembly for a collapsible pallet, comprising:

a first foot half having a slit defined therein from an edge thereof, said first foot being attachable to a first deck of said collapsible pallet; and

a second foot half having a slit defined therein from an edge thereof, said second foot being attachable to a second deck of said collapsible pallet, said slits in said second foot half being configured to be engagable by said slit in said first foot half and received therein to bias said first deck in the direction of said second deck.

16. (Original) The foot assembly of Claim 15, wherein each of said foot halves further comprises an open face and wherein said slits extend perpendicularly to said open face.

17 – 19. (Cancelled)

INI-0031-D4

REMARKS

The Examiner has required restriction pursuant to 35 U.S.C. §121. The Examiner contends that the application contains claims directed to the following patentably distinct species of the claimed invention: Figures 1 - 13e and 24 - 29; Figures 14 - 16 and 24 - 29; Figures 17 and 24 - 29; Figures 18 and 24 - 29; Figures 19a and 24 - 29; Figures 19b and 24 - 29; Figures 20 and 24 - 29; Figures 21 and 24 - 29; Figures 22 and 24 - 29; and Figures 23 - 29. The Examiner admits that at least Claim 1 is generic. Pursuant to MPEP §806.05(c) and 35 U.S.C. §121 the Examiner requires restriction between the disclosed species and identification of the claims readable thereon.

The above Restriction is the same restriction as received in the parent case. The claims in this divisional application do not include claims to all of the above figures; the claims covering the above figures were separated into five applications. The claims of the present application are directed to Figures 1 - 13e, 20, 21, and 24 - 29. In accordance with 35 U.S.C. §121, Applicants hereby elect Figures 1 - 13e and 24 - 29; Claims 1 - 16. Applicants reserve the right to file divisional application(s) on Claims 17 - 19, which are hereby cancelled.

If there are any charges with respect to this Restriction Requirement, or otherwise, they may be charged to Deposit Account No. 06-1130.

Respectfully submitted,

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By: 

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